

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ASSENTED-TO MOTION TO MODIFY CONDITIONS OF RELEASE

Defendant Stephanie Popp asks the Court to modify Ms. Popp's conditions of release to temporarily return her passport and to permit her to travel to Brazil for her sister's wedding, which was originally set for May 21, 2021 and postponed to March 11, 2022 due to the COVID-19 pandemic. Ms. Popp will travel to Brazil on Monday, February 28, 2022 and return to the United States on Monday, March 14, 2022. She will be staying with her parents, Lawrence and Eliana Popp, at 1181 Rua Ascanio de Carvalho, Casa 8, Bebedouro, Sao Paulo 14701-385 and will provide a detailed itinerary to her pre-trial services officer. Ms. Popp will return her passport to pretrial services as soon as she returns. In support of this motion, Ms. Popp states the following:

1. This Court set Ms. Popp's current conditions of release on October 28, 2020. See
Dkt. No. 37. Among other restrictions, her conditions include surrendering her passport to pretrial services in San Francisco, CA, and restriction of travel to the continental United States.

2. This Court previously granted in its April 13, 2021 order (*Dkt. No. 59*) Ms. Popp's assented-to motion to modify conditions of release to permit her to travel to Brazil when the wedding was originally scheduled for May 21, 2021. *See Dkt. No. 58.*

3. Due to public health concerns related to the COVID-19 pandemic, the wedding was postponed. As a result, Ms. Popp did not travel to Brazil and returned her passport to pretrial services.

4. Ms. Popp's sister's wedding is on Friday, March 11, 2022. Ms. Popp will be arriving in Brazil 10 days prior in order to account for any quarantine that may be required as a result of COVID-19.

5. Ms. Popp's sentencing hearing is scheduled for May 10, 2022.

6. Ms. Popp has fully complied with all of her conditions of release.

7. Ms. Popp's supervising Pretrial Services Officer, Rachel Waddle, has no objection to the modification of Ms. Popp's conditions of release in order to permit her to attend her sister's wedding in Brazil, but noted via text message on January 28, 2022 that the decision lies with this Court.

8. Counsel for the United States assents to Ms. Popp's proposed travel, and further advises that it has consulted with the victims in this matter, who respectfully oppose Ms. Popp's itinerary because, in their view, overseas travel presents an unreasonable risk of flight, especially because her travel is to a country from which she cannot be extradited.

9. Over the past 2 years, Ms. Popp has demonstrated that she is not a flight risk. She has been aware of the government investigation since October 2019. She therefore notified the U.S. Attorney's Office about a planned trip to Brazil in December 2019, which Ms. Popp had no obligation to do since this was before Ms. Popp was even charged. Because the government had no objection to her taking this trip, she travelled to Brazil for several weeks and then returned, even though she was aware of the investigation that would lead to this prosecution. The government likewise had no objection to Ms. Popp travelling to Brazil in May 2021.

10. With the exception of this one-time change permitting her to travel internationally for a brief period, Ms. Popp is not seeking any other modification of her current conditions of release.

Ms. Popp therefore asks this Court to modify her conditions of release to (1) temporarily return her passport to her and (2) allow her to travel to Brazil from February 28, 2022 to March 14, 2022 to attend her sister's wedding.

Respectfully submitted,

STEPHANIE POPP

By her attorneys,

/s/ Rachna Vyas
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Date: February 7, 2022

LOCAL RULE 7.1(a)(2) CERTIFICATION

I, Rachna Vyas, Esq., hereby certify that I have conferred in good faith with the Government regarding the above-captioned motion to modify Defendant Stephanie Popp's conditions of release, and the Government, through AUSA Seth Kosto, has assented to the motion.

/s/ Rachna Vyas
Rachna Vyas

CERTIFICATE OF SERVICE

I, Rachna Vyas, Esq., hereby certify that this document, filed through the electronic case filing (ECF) system, will be sent electronically on this day, February 7, 2022, to the registered participants as identified on the Notice of Electronic Filing (NEF). At this time, I am not aware of any non-registered participants to whom paper copies must be sent.

/s/ Rachna Vyas
Rachna Vyas